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MEMO

RECEIVED

FEB 20 2007

Ravalli County Commissioners

TO: Karen Hughes, Planning Department

CC: Ravalli County Commissioners

DATE: February 16, 2007

FROM: George Corn *gc*

RE: Stream Setback Proposal

Dear Karen:

I understand you are having a meeting on February 21, 2007, to discuss stream setbacks and county-wide zoning. I have reviewed your memo of February 12, 2007, regarding a decrease in the stream setback committee. I have the following thoughts.

The idea of stream setbacks has been in the planning process since at least June of 2005. The only proposal so far, which was incomplete, was brought forward in January of this year. Setting up yet another committee is only going to further delay bringing the matter to issue. Instead, I think establishing a legislative-type process using elected official or county boards for a county ordinance of this nature to be more productive. In particular, I think the Commissioners as elected officials need to move this process along. Here are two suggestions along those lines.

1. The Commissioners should appoint one of their number to host a set number of public meetings (4-6?). Before the first such meeting the public is invited to submit proposals and encouraged to do so, they can be made available at all at the meetings. These proposals should be the centerpiece of the discussion, although any public comment will be heard. After each meeting, your staff can identify differences and similarities. This staff memo would be available at the next meeting.

This would continue until you have conducted the selected number of public meetings. After the first meeting, organizations with competing plans would be encouraged to work with one another to find common ground on any areas they can do so and let planning staff know. This information would become part of the conversation at the next meeting.

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At the end of this process there would either be one ordinance or competing ordinances. At that point the Commissioners would have to have a meeting to discuss the proposal(s). After that they could determine the makeup of the ordinance and go through adoption procedures.

2. The other alternative is to ask the Ravalli County Planning Board to take on this duty. If the Board cannot, I would explore the possibility of a subcommittee of the Planning Board doing so. This group would establish hearings similar to those outlined in #1 above.

The idea behind my suggestion is to mimic as much as possible the legislative process since that is what is happening here. There may need to be more public meetings, etc., but the end result should be a "bill" or "bills" that have been commented on, perhaps amended and that the Commissioners can then vote on whether to enact.

3. Again, the reason behind my suggestions is that procedure and process can become so detailed that nothing ever gets to a vote. This is particularly true in the issue of stream setbacks, which had been already argued for 18 months. Most of the interested parties have been well identified, have established positions and are actively pushing for a particular point of view. In these circumstances the creation of a new board seems a particular waste of time and energy in addition to being counterproductive to getting to the heart of the matter.

Lastly, this is going to require a staff person from your office to be dedicated to assist in the task. The Commissioners have to see this properly staffed, otherwise, without logistical and administrative support, this entire effort is going to take twice as long as it should.

Please give me a call with any questions. Thank you.

GHC/jw